REMARKS

Claims 1-8, 16, 19, 22, 24-25, and 28 are pending. Claims 1-8, 24, 25, and 28 stand rejected under 35 U.S.C. § 112, ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claims 1-8, 24, 25, and 28 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 16, 19, and 22 are not rejected or objected to, and so are presumed allowable.

Reconsideration is requested. No new matter is added. The rejections are traversed. Claims 1 and 3 are amended. Claims 1-8, 16, 19, 22, 24-25, and 28 remain in the case for consideration.

REJECTION UNDER 35 U.S.C. § 112, ¶ 2

The Examiner has argued that, based on the definition of a token in the Computer Dictionary, 2nd Edition, the inclusion of the term "tokenless" in the claims is indefinite. The Examiner argues that steps, such as the proposal step, registration step, etc., "require the transmission of a structured data object or textual element." According to the Examiner, the definition of "token" reads on the claims, and therefore the claim that the invention is tokenless cannot be maintained.

The Examiner is misapplying the term "tokenless." As clearly stated in the specification on page 15, lines 23-25, "tokens include smart cards, magnetic swipe cards, or personal computers with resident Scrip Supporter-customized data." The Applicant does not assert that the claimed invention can be implemented without transmitting data objects; the term "tokenless" refers to the fact that the claimed invention can be implemented without the need for the described types of tokens. Accordingly, the claims are definite, and are therefore allowable under 35 U.S.C. § 112, ¶ 2.

The Applicant would like to point out that in the Office Action dated December 20, 2002, the Examiner previously gave a rejection under 35 U.S.C. § 112, ¶ 2, arguing that the "such as" language of claim 1 was indefinite. The Applicant responded by removing the words "personalized man-made tokens such as" from the claim. The Examiner cannot reject the claims as indefinite when they include the definition of a term and require that the words defining the term be removed, and then reject the claims again because the previously-defined word could now be read differently. The Examiner is requested to decide which way he would prefer the claims be structured: the Applicant prefers the current form, and submits that they are patentable.
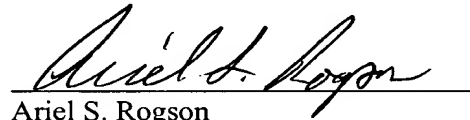
<div align="center">REJECTION UNDER 35 U.S.C. § 101</div>

The Examiner has rejected claims 1-8, 24, 25, and 28 because they "fail to recite a computer implemented method, which is required to satisfy the technological arts requirement of 35 U.S.C. § 101." Claims 1 and 3 are amended to describe the method as computer-implemented. Accordingly, the claims should now be allowable under 35 U.S.C. § 101.

For the foregoing reasons, reconsideration and allowance of claims 1-8, 16, 19, 22, 24-25, and 28 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

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Ariel S. Rogson
Reg. No. 43,054

MARGER JOHNSON & McCOLLOM, P.C.
1030 SW Morrison Street
Portland, OR 97205
503-222-3613
Customer No. 20575